REMARKS

Claims 10-12, 14-16 and 19-20 stand rejected under 35 USC §102(e) as being anticipated by *Bruhn* (U.S. Patent No. 6,256,487). Claim 13 also stands independently rejected under 35 USC §103(a) as being unpatentable over *Bruhn*. Applicants respectfully traverse the rejections.

Applicants have herein amended independent claims 10 and 19 to further clarify the distinctions between the present invention and Bruhn. The present invention, as recited in independent claims 10 and 19 (as amended), is directed to a system and method for processing data structured in frames in a manner that is not disclosed by the cited prior art. In particular, data is processed such that channel-coding is performed in the frame, independently of the selected particular source-code mode, on a first portion of the data bits <u>together with</u> the at least one mode bit contained within the frame; and source-coding is performed in the frame, according to the selected particular source-code mode, on a second portion of data bits included in the frame. Under the recited configuration, mode data (e.g., mode bits) are co-transmitted in a frame that informs the receiver of the encoding of the user data included in the same frame, such that they can be securely recognized by the receiver. Accordingly, the mode data is protected in the transmission by channel encoding while providing an optimal low number of follow bits.

As argued previously, Bruhn is directed to a communication system that supports multiple source coding/channel coding schemes. More specifically, Bruhn is directed to using relatively weak channel coding to protect mode information transmitted over an air interface (see col. 3, lines 60-64). In Bruhn, Fig. 3(a) illustrates in more detail a preferred coding technique that includes a channel coder 54, which employs a rate 1/c convolutional code (i.e., relatively weak channel coding). Proper decoding of the mode information, at the receiver-side, is provided by employing probability calculations (see, Bruhn, Fig. 4; col. 4, lines 7-13). Therefore, although Bruhn discloses a channel coding technique of mode data, the reference fails to disclose channel-coding in the frame, performed independently of the selected particular source-code mode, on a first portion of the data bits <u>together with (i.e. at the same time)</u> the at least one mode bit included within the frame, and performing source-coding in the frame, according to the selected particular source-code mode, on a second portion of data bits included in the frame.

Conversely, this feature is clearly recited in independent claims 10 and 19, as amended, where a powerful channel encoding configuration is established without necessitating additional bits. The user data - which is already present (first portion of data bits) - is processed along with (at the same time, using the same channel coding) the mode bits for the channel encoding, wherein the combination of bits is respectively channel-coded in a uniform way. The remaining user data bits (second portion of data bits) are respectively encoded in one code that has been selected from a number of possible codes.

Applicant notes that Bruhn also fails to disclose that a part of the data bits can also be used for the channel encoding of the mode bits.

For at least these reasons, Applicant submits the rejection has been overcome, and respectfully requests withdrawal of same. Thus, independent claims 10 and 19 are now believed to be distinguishable over Bruhn for at least the reasons noted above. Likewise, dependent claims 11-16 and 20 are also believed to be distinguishable over Bruhn based on their dependency from independent claims 10 and 19, respectively.

In light of the above, the Applicants submit that claims 10-16 and 19-20 are in condition for allowance, and as such, issuance of a Notice of Allowance is respectfully requested. Please reference docket number 112740-218. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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By

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